

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION

ST. CLAIR COUNTY EMPLOYEES'	)	Civil Action No. 3:18-cv-00988
RETIREMENT SYSTEM, Individually and on	)	
Behalf of All Others Similarly Situated,	)	<u>CLASS ACTION</u>
	)	
Plaintiff,	)	Chief District Judge William L. Campbell, Jr.
	)	Magistrate Judge Alistair E. Newbern
vs.	)	
	)	MOTION FOR LEAVE TO FILE UNDER
ACADIA HEALTHCARE COMPANY, INC.,	)	SEAL
et al.,	)	
	)	
Defendants.	)	
	)	
_____	)	

Pursuant to Rules 5.03 and 7.01 of the Civil Local Rules of Court (“L.R.”) and §5.07 of Administrative Order No. 167-1, Lead Plaintiffs Chicago & Vicinity Laborers’ District Council Pension Fund and New York Hotel Trades Council and Hotel Association of New York City, Inc. Pension Fund (collectively, “Plaintiffs”) hereby move the Court for leave to file under seal unredacted versions of Plaintiffs’ Opposition to Defendants’ Motion for Summary Judgment, Plaintiffs’ Opposition to Defendants’ Motion to Exclude Professor Michael J. Willis, Plaintiffs’ Opposition to Defendants’ Motion to Exclude Professor Daniel J. Taylor, and Exhibits 6-23, 26, 32-61, 64-69, 71, 76-78, 81, 83-85, 92, 96, 100-01, and 104-05 to the Omnibus Declaration of Christopher M. Wood in Support of Plaintiffs’ Oppositions to: (1) Defendants’ Motion for Summary Judgment; and (2) Defendants’ Motions to Exclude Plaintiffs’ Experts (collectively, the “Sealed Documents”), filed contemporaneously herewith.

Under the Stipulated Protective Order (ECF 76) (the “Protective Order”), Plaintiffs are required to “make redactions or take whatever reasonable steps are necessary to prevent publicly

disclosing” information that is designated as Confidential. Protective Order at 13. The Sealed Exhibits contain and cite information that has been designated as Confidential under the Protective Order by Defendants and third parties Citigroup Global Markets Inc., KPMG, and TPG Global (collectively, the “Designating Parties”) which produced documents in response to subpoenas issued in this litigation. Plaintiffs, therefore, move the Court for leave to file the Sealed Documents under seal even though Plaintiffs believe there is no basis for the documents to remain under seal. *See* L.R. 5.03(b).

Plaintiffs do not believe grounds exist to overcome the ““strong presumption in favor of openness as to court records.”” *Alyn v. S. Land Co., LLC*, 2016 WL 5126735, at \*2 (M.D. Tenn. Sept. 20, 2016) (quoting *Shane Grp., Inc. v. Blue Cross Blue Shield of Mich.*, 825 F.3d 299, 305 (6th Cir. 2016)). Under these circumstances, while the Protective Order requires Plaintiffs to move for the Sealed Documents to be filed under seal, the burden is on the Designating Parties to demonstrate “compelling reasons” for them to remain under seal. L.R. 5.03(a)-(b). “[T]he party who designated the materials as confidential” must demonstrate “that the sealing is narrowly tailored to those reasons by specifically analyzing in detail, document by document, the propriety of secrecy, providing factual support and legal citations” in order for the Sealed Documents to remain under seal. *Id.* Plaintiffs intend to further confer with the Designating Parties to determine whether they will consent to the Sealed Documents being filed publicly.

DATED: August 11, 2025

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s/ CHRISTOPHER M. WOOD  
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